



WEMMH/SB/21 (4/03)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/939,082
		Filing Date	August 24, 2001
		First Named Inventor	Francesco POMATA
		Group Art Unit	2625
		Examiner Name	Barry Choobin
Total Number of Pages in this Submission		Attorney Docket Number	8240-10

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached see PTO-2038 form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	<i>James M. Durlacher</i>
Date	November 1, 2004

<b>Certificate of Mailing</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: November 1, 2004			
Typed or printed name	James M. Durlacher, Reg. No. 28,840		
Signature	<i>James M. Durlacher</i>	Date	November 1, 2004



# FEE TRANSMITTAL FOR FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Examiner Name	Barry Choobin
Total Amount of Payment	(\$ 124.00)	Attorney Docket Number

METHOD OF PAYMENT		FEE CALCULATION (continued)		
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Other	<input type="checkbox"/> None

See PTO Form 2038

Deposit Account:

Deposit Account Number	23-3030
Deposit Account Name	Woodard, Emhardt, Moriarty, McNett & Henry LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below     Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Fee Description	Fee Paid	Fee Description	Fee Paid
1001	790	2001	395	Utility Filing Fee	
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	790	2004	395	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1) (\$ 0)					

### 2. EXTRA CLAIM FEES

	Extra Claims	Fee From Below	Fee Paid	
Total Claims	44	-42** = 2	X 18 = 36	
Independent Claims	4	-3** = 1	X 88 = 88	
Multiple Dependent			300 = 0	

(Four new claims to make a total of 23)

Large Entity	Small Entity	Fee Description	
Fee Code (\$)	Fee Code (\$)		
1202	18	2202	9
1201	88	2201	44
1203	300	2203	150
1204	88	2204	44
1205	18	2205	9

SUBTOTAL (2) (\$ 124)

\*\*or number previously paid, if greater; For Reissues, see above

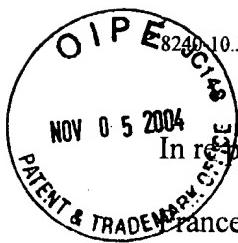
3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)			
1051	130	2051	65	Surcharge – late filing fee or oath
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action
1251	110	2251	55	Extension for reply within first month
1252	430	2252	215	Extension for reply within second month
1253	980	2253	490	Extension for reply within third month
1254	1,530	2254	765	Extension for reply within fourth month
1255	2,080	2255	1,040	Extension for reply within fifth month
1401	340	2401	170	Notice of Appeal
1402	340	2402	170	Filing a brief in support of an appeal
1403	300	2403	150	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive – unavoidable
1453	1,370	2453	685	Petition to revive – unintentional
1501	1,370	2501	685	Utility issue fee (or reissue)
1502	490	2502	245	Design issue fee
1503	660	2503	330	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Petitions related to provisional applications
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other Fee (specify) .....

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY:		Complete (if applicable)		
Name (Print/Type):	James M. Durlacher	Registration No.: (Attorney/Agent)	28,840	Telephone: (317) 634-3456
Signature:	James M. Durlacher		Date:	November 1, 2004



8240-10.JMD.310318

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005  
J.M.

In re patent application of:

Francesco POMATA, et al.

Serial No. 09/939,082

Filed August 24, 2001

IMAGING SYSTEM AND  
METHOD

- ) Before the Examiner
- ) Barry Choobin
- ) Group Art Unit 2625
- ) November 1, 2004
- )
- )

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on

November 1, 2004

(Date of Deposit)

James M. Durlacher

Name of Registered Representative

*James M. Durlacher*

Signature

November 1, 2004

Date of Signature

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 25, 2004, please enter the following amendments and remarks in the above-identified patent application.

Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

11/08/2004 RHEBRAHT 00000030 09939082

01 FC:1201  
02 FC:1202

88.00 OP  
36.00 OP

Amendment Response

Serial No. 09/939,082      Group Art Unit 2625  
Atty. Docket No. 8240-10  
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